



## **Byron-Gaines Utility Authority**

1381 84th Street SE • Byron Center, MI 49315

Phone: (616) 971-0002 • Fax: (616) 554-3655

**May 14, 2014**

**From:** Byron-Gaines Utility Authority- Michael Kortman, Cross Connection Control Program Administrator

**To:** Representative Crawford and members of the Regulatory Reform Committee

**RE:** HB 5317 and HB 5318- residential backflow testing requirements

Chairman Crawford and Regulatory Reform Committee members:

Thank you for another opportunity to testify regarding House Bills 5317 and 5318. Last week, I testified in opposition to these bills. My opposition was rooted in the specific testing frequency written into bill 5317. I support Representative McCready's effort to establish a restriction on residential backflow testing. The amendment being considered today, if passed, will improve the original text. Before acting on the amendment, however, please consider the following:

- Currently, there is no testing frequency that can legally be enforced by the MDEQ. They have recently (the past couple of years) stepped up efforts to force water purveyors to begin to require residential testing. They have gotten push back from purveyors in part because of the weak testing recommendation in the Cross Connection Rules manual. A specific testing frequency amendment to PA 399, regardless of the testing interval, would legitimize their push by giving the MDEQ the statutory language they currently lack.

- Any testing frequency put forth by amendment or by the rules making process should be established only when accompanied by sufficient data to support it.

- Because such data cannot be provided, please consider an amendment to HB 5317 that goes further than the proposed amendment and allows an exemption for residential lawn irrigation backflow preventers from periodic testing requirements; except after installation, after repairs, or if chemical injection is present.

- Such an amendment should not be considered too extreme, but rather more proportional to the actual hazard found in a typical residential lawn sprinkling system.

Even without the complete exemption proposed above, HB 5317 and HB 5318 as amended are a step in the right direction.

Thank You for your consideration.

*Michael Kortman*

Byron-Gaines Utility Authority